

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELLA MOORE,

Plaintiff,

Case No. 13-12530

v.

Hon. John Corbett O'Meara

STATE FARM AND CASUALTY  
COMPANY,

Defendant.

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**ORDER DENYING MOTION TO STRIKE  
EXPERT TESTIMONY WITHOUT PREJUDICE**

Before the court is Defendant's motion to strike the expert testimony of Stacey Cooper, pursuant to Fed. R. Civ. P. 702. The matter has been fully briefed. The court heard oral argument on December 19, 2013.

In this case, Plaintiff alleges that Defendant State Farm failed to pay home insurance claims after a fire at her residence. Plaintiff seeks to offer the expert testimony of Stacey Cooper, a firefighter, at trial. Mr. Cooper was present at the fire at Plaintiff's residence. At the hearing, the court stated that it was unlikely that Mr. Cooper would be permitted to testify regarding the cause of the fire, given his inability to recall facts providing a foundation for such testimony. However, the court will be better able to assess Mr. Cooper's testimony in context at the time of

trial.

THEREFORE, IT IS HEREBY ORDERED that Defendant's October 17, 2013 motion to strike the expert testimony of Stacey Cooper is DENIED WITHOUT PREJUDICE.

s/John Corbett O'Meara  
United States District Judge

Date: December 20, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, December 20, 2013, using the ECF system.

s/William Barkholz  
Case Manager